



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mitsuo YASUSHI *et al.*

Application No.: 10/649,858

Filed: August 28, 2003

For SYSTEM, METHOD, PROGRAM
AND MEDIUM FOR MEASURING)
HEART RATE)

) Confirmation No.: 6382

) Group Art Unit: 3762

) Examiner: Alyssa M. Alter

) Allowed: March 12, 2007

Commissioner for Patents
MAIL STOP ISSUE FEE
Washington, D.C. 20231
Sir:

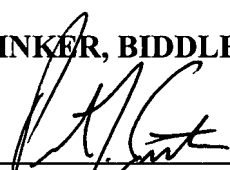
REQUEST FOR ACKNOWLEDGEMENT OF PTO-1449

No initialed copies have been received of the enclosed Form PTO-1449, filed on March 5, 2007, as shown by the attached copies of our PTO postcard receipts.

Please send an initialized copy evidencing consideration of all listed documents, preferably by facsimile, and if any citation is lined through, please be sure to explain why per MPEP 609. Thank you.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

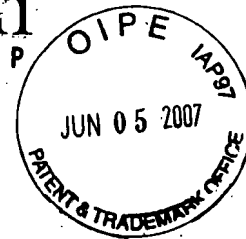


Peter J. Sistiare
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Dated: June 5, 2007

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The official date stamp of the United States Patent and Trademark Office hereon is acknowledgment of the receipt of:

I. Application

- ☐ A. Application Transmittal
 - ☐ Provisional
 - ☐ Utility
 - ☐ Design
 - ☐ Plant
- ☐ B. Continuation/Divisional/Continuation-In-Part
 - ☐ § 1.53(b)
 - ☐ § 1.53 (f) – fee not included
- ☐ C. Specification:
 - ☐ Sheet(s)
- ☐ D. Total Claim(s)
- ☐ E. Sheets of Drawing(s)
 - ☐ Formal
 - ☐ Informal (containing _____ Figures)
- ☐ F. Small Entity
- ☐ G. Combined Declaration & Power of Attorney

II. Prosecution Documents

- ☐ A. Notice of Appeal
- ☐ B. Preliminary Amendment
- ☐ C. Claim to Priority & Priority Document(s)
- ☒ D. Information Disclosure Statement
 - ☒ PTO Form 1449 – One (1) page
 - ☒ One (1) Reference attached
 - ☒ Japanese Office Action dated February 6, 2007
- ☐ E. Issue Fee
 - ☐ Form PTOL-85
 - ☐ Request for _____ Soft Copies
- ☐ F. Formal Drawing(s): _____ Sheet(s)

III. Post Issuance

- ☐ A. Maintenance Fee
- ☐ B. Request for Correction of Letters Patent

IV. Recordation

- ☐ A. Assignment Agreement (Number of Patents Covered: _____)
- ☐ B. Security Interest Agreement (Number of Patents Covered: _____)
- ☐ C. Change of Name, Merger or Other Transfer Document (Number of Patents Covered: _____)
- ☐ D. PTO Recordation Form Cover Sheet

VI. Payment

- ☐ Check No. _____ for \$ _____ for IDS Fee
- ☐ Fee Transmittal PTO/SB/17
- ☐ Deposit Account No. _____ for \$ _____

VII. Other

- ☐ A. Transmittal Letter (_____ pages)
- ☐ B. Power of Attorney
- ☐ C. Appointment of Domestic Representative
- ☐ D. Change of Correspondent's Address



Date:	March 5, 2007
Client No.:	46970
Attorney Docket No./File No.:	46970-5197
Matter No.:	213122
Title:	System, Method, Program, and Medium for Measuring Heart Rate
Inventor(s):	Mitsuo YASUSHI et al.
Application/Patent No.	10/649,858
Attorney:	Paul A. Fournier
Confirmation No.	6382
Secretary:	Traci N. Thompson

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Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A Japanese Office Action dated February 6, 2007 that issued in a Japanese patent application and having a document cited therein is attached for the Examiner's consideration. The cited document is listed on the attached PTO Form 1449.

The relevance of the attached foreign language document can be understood from its attached English-language abstract, and from the citation of this document in the attached Japanese Office Action dated February 6, 2007. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.

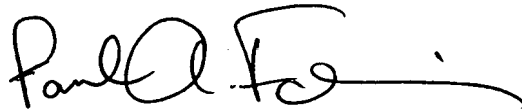
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: March 5, 2007

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